

ALSTON & BIRD LLP
 KARL GEERCKEN (KG5897)
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 90 Park Avenue
 New York, New York 10016
Attorneys for Plaintiff
MEADOWBROOK MEAT COMPANY, INC.

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

MEADOWBROOK MEAT COMPANY, INC.,

Plaintiff,

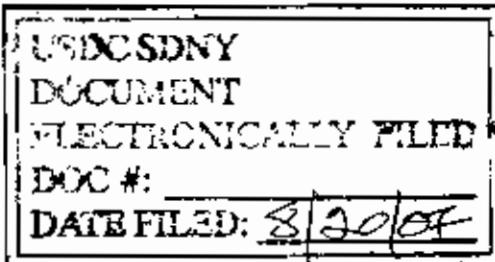
-against-

PHOENIX PARTNERS, L.P. PHOENIX
 PARTNERS CORP., JOSEPH DEL VALLE,
 MICHAEL CARSTENS, MICHAEL GROWNEY,
 DONNA DEL VALLE, VANQUISH
 ACQUISITION PARTNERS LLC, CDG
 ENTERPRISES, and SOUTHEAST CRUISE
 HOLDINGS LLC,

Defendants.

X
 07 CIV 5979 (NRB)

PLAINTIFF'S NOTICE OF
 DISMISSAL OF ACTION
 WITHOUT PREJUDICE



Plaintiff Meadowbrook Meat Company, Inc., by its undersigned attorneys, hereby serves notice that the above captioned action hereby is dismissed and discontinued, without prejudice and without costs, as against all defendants.

Dated: New York, New York
 August 17, 2007

ALSTON & BIRD LLP

By:

Karl Geercken (KG5897)

F. Paul Greene (FG1837)

*Attorneys for Plaintiff Meadowbrook
 Meat Company, Inc.*

90 Park Avenue

New York, New York 10016

(212)-210-9400

SO ORDERED

U.S.D.J. *[Signature]*
 8/20/07